

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: November 29, 1950
Nationality: British

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Professional Member, the Dispute Board Federation, Geneva 2009;
Chartered Arbitrator (CArb), 2008;
Fellow, Chartered Institute of Arbitrators (FCIArb), 2006;
LL.B., (Hons), University of Southampton, Southampton, 1972;
Solicitor, Supreme Court, Law Society of England and Wales, 1988;
Barrister, (Middle Temple), 1973.

LANGUAGES

English, French, German.

PRESENT POSITION

Principal, Michael Cover ADR Limited; Full Member of In Place of Strife, the Mediation Chambers.

December 16, 2011

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner and Head of Contentious Intellectual Property, Charles Russell LLP 2005;
 Partner, Faegre Benson Hobson Audley, LLP, 2002-2004;
 Partner, Mishcon de Reya, 1999-2002;
 Head of IP, Davies Arnold Cooper, Partner from 1989, 1987-99;
 Trade Marks Department, latterly Deputy-Head of Legal Services, Allied-Lyons plc (now part of Pernod Ricard), 1973-87;
 Trade Marks Department, The Distillers Company Limited, 1972-73.

MEMBERSHIP IN PROFESSIONAL BODIES

Certified Mediator, International Academy of Mediators (IMI), 2009;
 Member Chartered Institute of Arbitrators European Branch;
 Supporting Member, London Maritime Arbitrators Association, London (on the list of those prepared to accept appointments);
 Associate Member, the Institute of Trade Mark Attorneys, London;
 Member, the International Trade Mark Association, USA;
 CEDR, Accredited Mediator –2002;
 WIPO Domain Name Panelist- 2002;
 Member, WIPO Arbitration and Mediation Center's List of Neutrals – 2003;
 ADR Group Accredited Mediator – 2003.

Panel Memberships:

Member:

ICC Panel of Neutrals, 2003;
 ADR Chambers Panel of Mediators and Arbitrators, 2003;
 INTA – CPR Panel of Neutrals, 2004;
 The Chartered Institute of Arbitrators Panel of Arbitrators and Mediators, 2004;
 The Law Society's (England & Wales) Civil and Commercial Mediation Panel, 2006;
 The Court of Appeal (England & Wales) Mediation Scheme Panel, 2006;
 The London Court of Arbitration European Users Council, 2006;
 Sportresolutions UK (mediator), 2008;
 The London Maritime Arbitrators Association/ Baltic Exchange Panel of Mediators 2009.

AREAS OF SPECIALIZATION

Intellectual Property (patents, trademarks, industrial designs, copyright), sports, media, IT, dispute resolution (arbitration, litigation, mediation), computer law, passing of and unfair competition; competition (anti-trust) law; maritime; family and family business.

EXPERIENCE IN INTELLECTUAL PROPERTY

Numerous cases brought on behalf of Business Software Alliance in England in respect of illegal software;
 Execution and Supervision of numerous Search Orders;
 Erven Warnink BV v. J Townend & Sons (Hull) Limited, House of Lords, AC 731, 1979, (the Advocaat case);
 Ind Coope Limited and Another v. Paine & Co Limited, Court of Appeal, 11 July 1984;
 Marie Claire Album SA v. Hartstone Hosiery Limited, Chancery Division, FSR 692, 1993;
 Advising on an international dispute relating to high profile literary copyright, including witness depositions;
 Successful conclusion of a number of disputes relating to copyright, trade marks and domain names in the publishing sector;
 Trade mark disputes in the luxury goods sector;
 Advising the claimants in a trade mark infringement and passing off action in the cosmetic sector;
 Acting for a leading US franchising operation in a trade mark infringement, passing-off and confidentiality action;

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Acting for a leading ISP in trade mark infringement and passing-off and domain name disputes;
 Acting for the Claimants in two IP case relating to mobile telephony;
 Protection of merchandising cartoon characters;
 Acting for insurers in IP cases;
 Advising on the development of an IPR strategy for a major international ground transportation systems group, a successful beauty and cosmetics company and a successful business to business software company;
 Advising on the development and implementation of a trade mark and domain name strategy for a major player in the radio sector;
 Major IPR due diligence assignments on corporate transactions of all kinds and substantive IPR and IT aspects of such transactions, including trade marks, domain names, copyright and patents;
 IPR aspects of the establishment and various funding rounds of a medical device company, including assessment and assembly of IPR from academic institutions;
 Advising an innovative international restaurant chain on its global trade mark and domain name strategy and managing its implementation;
 MMI v. Cellxion et al 2009- patent infringement claim in relation to telecoms technology.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Numerous applications for registration of domain names; transfer of domain names; negotiating to resolve disputes relating to domain names;
 WIPO Panelist in a considerable number of domain name disputes; representing parties under the UDRP and Nominet procedures.

MAJOR PUBLICATIONS

“Another Step Towards Compulsory Mediation” (with Emma Streets), 2004;
 Co-author of “Mediation- Ways of Making You Talk”, Legal Updates, May 2004;
 Author of “Searching out smoking guns, a practical guide to Search and Disclosure Orders” published in the ITMA Review- July 2005;
 Author of “Confusion over confusingly similar marks....confused?” published in the ITMA Review – October 2005;
 Co-author of “ How About.....Mediating Competition Cases? “ published in the IBA Mediation Bulletin December 2005;
 Author of an article on trade mark cases in the Court of First Instance of the ECJ in June 2005 Trademark World;
 Author of “ Domain Name Dilemmas- How does the UDRP measure up against what it needs to deliver? published in Trademark World July/ August 2006.

Speaking Engagements:

Moderator of a session at the 5th International Mediation Interest Group Meeting, Geneva, September 2006;
 Role Player and Panel Member at the Mediation Conference in Rome jointly organized by the Chartered Institute of Arbitrators, the ICC and the AIA, November 2006;
 Presenter at two Workshops on Mediation of IP Disputes at the International Trade Mark Association Annual Meeting in Chicago, April 2007.
 Presenter at the Chartered Institute of Arbitrators Mediation Symposia 2008 and 2009.

EXPERIENCE IN COURT LITIGATION

See list of cases above under “intellectual property”.

PROFESSIONAL TRAINING IN MEDIATION

ADR Group Family and Family Business Hybrid Mediation Conversion Course 2009.
International Academy of Mediators Harvard Rendezvous, Harvard 2006;
CEDR Advanced Mediation Training-Facilitating Negotiation and Managing Lawyers given by Jeff Krivis and Peter Robinson, Pepperdine University School of Law, February 2006;
INTA/CPR Training, May 2004 and Advanced Mediation Training 2007;
ADR Group Accredited Mediator, May 2003;
CEDR Mediation Accreditation Course, Italy, August 2002.

EXPERIENCE IN MEDIATION

Experience of around 75 mediations, as lead, joint, or assistant mediator in cases involving intellectual property, international investment management, financial services-and commercial and contractual issues; sports; maritime; shareholder and partnership disputes.
Member, LawWorks Pro Bono Mediation Panel, UK.

PROFESSIONAL TRAINING IN ARBITRATION

Chartered Institute of Arbitrators, United Kingdom, Special Membership Course, 2004;
Attending the "Fast-track" course for Fellowship of the Chartered Institute of Arbitrators, March 2005.
Courses leading to Chartered Arbitrator 2007/8.

EXPERIENCE IN ARBITRATION

Assistance of others in the Dispute Solution Group of Faegre Benson Hobson Audley and Charles Russell in major arbitrations; completed pupillage with an experienced arbitrator;
Advising clients in major international arbitrations; advising on arbitration clauses;
Arbitrator, WIPO List of Arbitrators and Mediators, since 2003;
Arbitration in Intellectual Property.

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	CEDR	5	X	Various
	Ad Hoc	4	X	Various
	Others:	10	X	Various
Number of cases: sub-total		19		
Domestic Mediations	CEDR	20	X (lead mediator)	Various
	CEDR	7	X (As assistant mediator) Presiley Baxendale, Karl Mackic, Gordon Harris, Henry Brown	Various
	ADR Group and ADR Chambers	15	X	Various
	Ad Hoc	12	X (as lead mediator)	Various
Number of cases: sub-total		54		
TOTAL		73		